

REMARKS

Claims 1-4, 7-8, 11-14 and 16-25 are pending.

Applicants have amended the claims to address various objections and/or rejections under 35 U.S.C. 112.

Claims 1-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Molitor et al. (DE 19544451). Applicants respectfully traverse this rejection. As the Examiner acknowledges on page 5 of the Office action, Molitor et al. does not disclose using 1 to 10% by weight of recycled particles. According to the now more precisely specified claim 1, the recycle particles do not only comprise different components A, B and optionally C, but are also specified by their average particle size.

The present invention involves not just using recycled material together with new material, but also using recycled particles of the more complex composition of a sandwich panel with specified particle size and specifically for the core layer of a new sandwich panel. The foam structure of the core layer remains substantially intact in the recycle particles, since the waste parts are comminuted but not melted (page 2, lines 10-13). In an amount of up to 10% by weight no significant deterioration in the mechanical strength is observed (page 2, lines 37-39). It would not have been obvious to use recycled sandwich panels in such a way.

Claims 1-4, 7, 8, 11-14, 19-20 and 23-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Erhardt (US 5,876,534). Applicants respectfully traverse this rejection. Erhardt provides homogeneously structured composite panels that have good mechanical values and low total weight (column 1, lines 37-39). Erhardt does not

MÖCK et al., Ser. No. 09/714,191

suggest using recycled materials and thus the person having ordinary skill in the art would not have been led to use recycled materials in the composite panel of Erhardt since such person would have expected a deterioration in the good mechanical values.

Claims 2 and 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Erhardt (US 5,876,534), and further in view of Seiler et al. (US 5,122,398).

Applicants respectfully traverse this rejection. Seiler et al. teaches a recyclable all plastic bumper system. The comminuted material is melted and homogenized to produce injection moldings with lower requirements to mechanical properties (column 1, lines 52-55 and column 3, lines 25-55). Seiler et al. does not teach to reuse the recycle in the bumper system, especially not in the foamed core layer.

Claims 9, 10, 15-18, 21 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Erhardt (US 5,876,534), and further in view of Haardt et al. (US 5,180,628). Applicants respectfully traverse this rejection. Haardt et al. discloses a shock-absorbing propylene polymer molding with specific layers. They may be recyclable because they contain similar, mutually compatible and meltable plastics (column 1, lines 26-27). Haardt et al. makes no mention of how to use any recycle and for which applications. This leads away from reusing any recycle in particulate form.

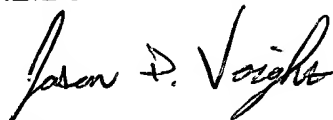
Therefore, the invention of the present claims would not have been obvious in view of Erhardt alone or in combination with Seiler et al. or Haardt et al.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit

MÖCK et al., Ser No. 09/714,191

any excess fees to such deposit account.

Respectfully submitted,  
KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "Jason D. Voight". The signature is fluid and cursive, with the first name "Jason" being more prominent.

Jason D. Voight  
Reg. No. 42,205

1350 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 659-0100